

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

In re

Cherry Francis  
aka Cherry J. Francis

Debtor.

**Case No. 19-43235-ecec**

**CHAPTER 13**

**AFFIRMATION IN  
OPPOSITION TO  
SECURED CREDITOR  
GUSTAVIA HOME, LLC's  
OBJECTION TO  
CONFIRMATION**

David J. Doyaga, Sr., an attorney duly admitted to practice law in the State of New York does hereby affirm under penalty of perjury as follows:

1. That I am the attorney for Cherry Francis (the "Debtor") and am fully familiar with all the facts and circumstances herein.
2. This affirmation is submitted in opposition to the Objection to Confirmation filed by Gustavia Home, LLC (herein "Creditor").
3. The Debtor filed a voluntary Petition for relief pursuant to Chapter 13 of the Code under case number 19-43235-cec on May 29, 2019.
4. The Creditor objects to the confirmation of Debtor's Chapter 13 Plan dated and reflected in the Court's docket as number 36 stating that the Debtor does not provide payment to Creditor and does not treat Creditor as secured.
5. The Debtor filed a Motion to void the Gustavia Home LLC/SN Servicing Corporation's lien which is returnable on September 17, 2019 at 11:00 AM. For this reason, the Debtor does not treat the creditor as secured in the plan or schedules.

**WHEREFORE**, it is respectfully requested that the Creditor's objection to Confirmation of Debtor's Chapter 13 Plan should be denied in its entirety and for such other and further relief as to this Court may seem just and proper.

Dated: Brooklyn, New York  
August 9, 2019

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